

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

)

v.

)

ABDULLAHI FARAH

)

No. 3:12-cr-00196
Judge Sharp

ORDER

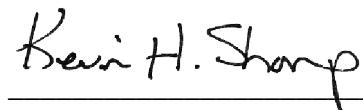
In accordance with the discussions at the pretrial conference held on April 12, 2013, the Court hereby confirms the following rulings:

- (1) Defendant's Motion to Compel Discovery (Docket No. 18) is hereby DENIED. As explained at the pretrial conference, the Court finds that a duress defense is unavailable to Defendant as a matter of law due to his inability to proffer evidence of "an unlawful and present, imminent, and impending threat of such a nature as to induce a well-grounded apprehension of death or serious bodily injury," *U.S. v. Johnson*, 416 F.3d 464, 468 (6th Cir. 2005);
- (2) Defendant's Motion in Limine to Permit Expert Testimony (Docket No. 31) is hereby DENIED. Additionally, as explained at the pretrial conference, after considering Defendant's offer of proof, the Court finds that Dr. Carter F. Smith is not qualified to present expert testimony "regarding the culture, procedure, methods, and history of Somali gangs," the purpose for which Defendant would seek to have him admitted (Docket No. 31 at 1); and
- (3) The Court will reserve ruling on Defendant's Motion in Limine to Exclude References to Sex Trafficking or Related Terms (Docket No. 32) and Defendant's Motion in Limine to Exclude Certain Proposed Government Exhibits (Docket No.

55) until the parties file agreed stipulations with the Court, at the latest by Monday, April 15, 2013. In light of these stipulations, the parties are instructed to consider the evidence that is likely to be introduced at trial, as well as any redactions to exhibits and other agreed evidentiary exclusions. If at that time Defendant still expects to move for the exclusion of a significant amount of anticipated evidence, the Court will be available for a teleconference Monday afternoon. Other evidentiary matters can be dealt with Tuesday morning before trial.

The jury trial in this case will commence on Tuesday, April 16, 2013, at 9:00 a.m.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE